

connected to a central server to allow the control unit to function in the manner of Claim

1.

REMARKS

Claims 1-14 were rejected under 35 U.S.C. §§ 102, 103 over various prior art. Claim 1 has been amended. New Claims 15-16 have been added. Applicants respectfully traverse the rejections in light of the following remarks.

Independent Claims 1 and 13 each recite the use of "trading control buttons" which allow an operator to perform trading operations and which permit the operator to "maintain substantially constant visual contact" with one or more visual displays, substantially without the operator being required to "visually focus[] on the control unit during the performance of trading operations." "Substantially constant visual contact" is defined in the specification to mean that "the trader is able to maintain visual contact with a selected visual display while requiring little or no interruption or shift of focus to the controller or to a non-selected visual display, such as a quantity/price screen, which the trader does not then desire to focus on, during the performance of trading operations" (page 4, last line, through page 5, lines 1-3). The present invention provides these advantages, as explained (Mazza Dec., ¶ 6).

These aspects of the present invention are important in providing an operator with the ability to perform trading operations speedily and accurately, which may be

critical to successful trading (Mazza Dec., ¶ 3), and are not disclosed in the prior art (id., ¶¶ 3-5).

None of the prior art discloses trading controllers which provide these advantages. McCausland does have some trading control buttons, similar to the prior art E-Speed control panel discussed at page 3 of the application and shown in a photograph attached to the IDS filed October 21, 2001. The McCausland buttons, like those of E-Speed, are not sufficient for a trader to “maintain substantially constant visual contact” with a visual display and to avoid “visually focusing on the control unit during the performance of trading operations,” as Mr. Mazza explains (Mazza Dec., ¶¶ 3-5). The remaining cited prior art, Akatsuka and Grant, fail to disclose trading control buttons of any kind.

Claim 1 also recites the use of “customizable software enabling the controller to interface with a variety of proprietary trading applications.” As explained, McCausland is intended to interact with a trading system provided on a host server installation, which does not easily interface with a variety of proprietary trading applications (Mazza Dec., ¶ 7). Grant is designed for Internet browsing, not trading applications.

Referring to Claim 3, there is no disclosure in McCausland of trading control buttons of different shapes, sizes or textures to provide the operator with “tactile feedback sufficient to allow the operator to distinguish between the trading control buttons without visually focusing on the buttons.” The McCausland buttons used for trading control are all square buttons of the same size and shape, with three buttons

that are rectangular. These buttons do not meet the “tactile feedback...” claim language because an operator of McCausland is unable to distinguish between various trading control buttons during trading (Mazza Dec., ¶ 5).

Referring to Claims 5-6, the Examiner admits that McCausland fails to disclose a visual display located on the trading control unit (Office Action, p.4, ¶ 4). Grant discloses a pocket-sized user interface with a visual display for use in Internet browsing. However, there is no indication in Grant that its user interface or its visual display may be used for controlling trading operations, and no motivation to combine Grant with McCausland has been suggested. In re Fine, 837 F.2d 1071, 1074 (Fed. Cir. 1988) (reversing obviousness rejection where no motivation to combine present).

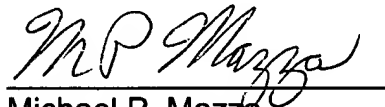
Claim 7 as revised clarifies that the visual displays are associated with the computers, not with the trading control unit. While deemed unnecessary claim language, obviously these visual displays are still “in electrical communication” with the computers. Akatsuka is not properly combined with McCausland to render Claim 7 obvious for two reasons. First, there is no suggestion in Akatsuka that its system may be employed for trading operations. Second, Akatsuka’s use of a slidable mouse teaches away from Claim 1/7, which rejects the use of such a mouse (“without the need for sliding the control unit over a surface”) in favor of a mini-keypad.

Finally, regarding Claim 11, the “virtual plate of glass” technique is not rendered obvious by McCausland, which teaches away by disclosing control panel/server system interactivity (Mazza Dec., ¶ 7).

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For the foregoing reasons, Applicants believe Claims 1-16 define a novel and non-obvious advance in the art, and request an allowance of these claims. If the next written communication is intended to be other than a notice of allowance, the Examiner is asked to first contact the undersigned.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "MP Mazza", is written over a horizontal line.

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Dated: February 6, 2003